

78 FEB 1970

Approved For Release 2001/08/07 : CIA-RDP72-00337R000300060024-4

The Controversial Operation Phoenix:

How It Roots Out Vietcong Suspects

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Special to The New York Times

SAIGON, South Vietnam, Feb. 17—As a controversial operation known as Phoenix moves into its third year and to center stage today at Senate Foreign Relations Committee hearings in Washington, American officials here privately continue to call it one of the most important and least successful programs in South Vietnam.

Designed by the United States Central Intelligence Agency to weed out an estimated 75,000 Vietcong political leaders and agents from the civilian population, the program is not the sinister, cloak-and-dagger, terror operation that some critics, including the Vietcong, have portrayed it to be, these officials insist.

"That's nonsense," one of them said. "Phoenix is just not a killing organization. The kinds of things they [Foreign Relations Committee members] are probably looking for are not happening that much — which is not to say they are not happening at all."

Sentence Without Trial

Briefly, Phoenix works this way: When local officials feel they have enough evidence against a person suspected of being connected with the Vietcong, they arrest him. If he is not released quickly—suspects often vanish out the back doors of police station within two hours of their arrests—he is taken to a province interrogation center.

A dossier on the suspect is then given to the Provincial Security Council, whose powers are those of a ruling body, not a judicial one. The council may, however, free the suspect or order him jailed for as long as two years without trial.

Once the suspect has served a term in jail he is considered to have been rehabilitated.

Some officials concede that many abuses have occurred under Phoenix and that the program has potential for serious harm if it were used, for example, to harass legitimate political opposition. Yet in the over-all portrait of Phoenix painted here, the program appears more notorious for inefficiency, corruption and bungling than for terror.

Like many other programs in Vietnam, Phoenix looks best on paper. Officials here argue that its controversial reputation has been built more on its secrecy than on its actions.

If someone decided to make a movie about Phoenix, one critic joked, the lead would be more a Gomer Pyle than a John Wayne.

Differing Views

While both American and South Vietnamese officials in Saigon believe the program to be vital, some local officials are less than enthusiastic. Saigon officials contend that unless the Vietcong's highly skilled political apparatus is destroyed, the Communist movement will continue to prosper regardless of how many guerrillas and enemy soldiers are killed. In many contested areas, however, the local people appear hesitant to upset any informal accommodations made for the sake of survival.

"The local officials are perfectly capable of carrying out this program if they thought they were winning," one American said.

The Phoenix program, called Phung Hoang by the Vietnamese, was established with the money and organizational talents of the C.I.A. in late 1967. It was officially sanctioned by President Nguyen Van Thieu July 1, 1968.

Under the Ministry of the Interior, administrative committees and intelligence-gathering centers were set up in the 44 province capitals and most of the country's 242 districts.

About 450 Americans were sprinkled among these groups to serve as advisers and paymasters. A large number were C.I.A. agents or military intelligence officers borrowed by the agency.

Military Now in Charge

Gradually, the C.I.A.'s role was taken over by United States military men so that at this moment according to officials, of the 441 Americans involved in Phoenix, all six are military men. Last July 1, overall authority for American advisors by U.S. military headquarters here.

The program was set up to operate at the local level, where the problems begin.

At each "district intelligence coordinating and operations center," as they are called, teams usually consisting of a South Vietnamese military intelligence officer, an American intelligence adviser—usually a lieutenant—special police agents and local pacification officials are supposed to pool intelligence data and compile dossiers on suspected Vietcong agents within the surrounding communities.

When they feel they have enough evidence, they attempt to find and arrest the suspect.

"The trouble is that in many cases, there is a complete lack of dossiers," said one civilian official. "You might have a single sentence in a dossier saying that so and so heard the suspect talking about such and such."

Finding the Suspects

Sometimes the arrest may involve a single local policeman. Other times, it may take a combined police-military operation to go into a hamlet and find a suspect.

In the course of normal military operations, some suspected Vietcong agents may defect, or be killed or captured. When reports of these operations filter back to the Phoenix district headquarters, officials simply call out the numbers and add them to their scores. This helps them meet quotas set by higher headquarters.

"One thing about the Vietnamese—they will meet every quota that's established for them," said one critic of the program. "That's what makes the head count so deceptive. How do you know they are not assigning names and titles to dead bodies?"

In 1969, according to official figures, 19,534 Vietcong were "neutralized." That number included 8,515 reportedly captured, 6,187 killed and 4,832 who defected.

Once a suspect is captured, he automatically becomes a "neutralized" Vietcong and part of the official tallies for the year. This is true despite the fact that many suspects are released an hour or two later through the back doors of local police stations. Starting this year, officials say, suspects will have to be sentenced before they will be counted as "neutralized."

If the suspect is not released at the local level, he is taken to a province interrogation center for questioning and then confined until his dossier comes before the Province Security Council, composed of the province chief, his deputy for intelligence, the top national policemen in the province, and usually two or three other provincial officials. This may take months.

The provincial council is a ruling body, not a judicial body. The evidence is examined, and the suspect is either released or sentenced. Of the suspects who make it this far, an estimated 30 per cent are released for lack of evidence.

"I've never heard of anyone having a defense," said an official familiar with the procedure. "Generally these guys are pretty good and if the district people haven't turned up enough evidence, the suspect will be released."

20 Per Cent Jailed

If the council determines that the suspect is a Vietcong agent, he can be "detained" without trial for up to two years. But he usually isn't.

The program's American advisers estimated recently that about 20 per cent of the suspects in 1969 were sentenced, and that only a fraction of those were imprisoned for the maximum two years. Most sentences were from three to six months.

Theoretically, those given the maximum sentence are to be sent to federal prisons, such as the one on Conson Island. Some provincial officials are reluctant to do this, however, because by imprisoning a man in their own jails they receive a prisoner-food allotment from the Saigon Government.

After having served a jail sentence, the suspect is given a Government identification card and released on parole. He is supposed to check in from time to time with local police officials.

Having to arrest or capture the same suspect two or three times is frustrating, according to some local advisers in the program, and may have some effect on the statistics in the column relating to slain suspects.

Probably the most controversial arm of the Phoenix program in each province is a group called the Provincial Reconnaissance Unit. It consists of a dozen or more South Vietnamese mercenaries, originally recruited and paid handsomely by the C.I.A. to serve under the province chief as the major "action arm" of the program.

The members of these units usually an assortment of local hoodlums, soldiers of fortune, and draft-dodgers, receive 15,000 piasters a month. An ordinary soldier gets 4,000 piasters.

Some Saigon officials concede that these units have been employed in extortion and terror. But the officials insist that the units' foul reputations have been exaggerated.

In October, after second thoughts about the program's secrecy, Premier Tran Thien Khlem appealed in a speech to the people for aid in identifying Communist agents among

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them. In many areas, "wanted" posters were distributed.

In one Mekong Delta town, an American official said, Phoenix operatives had worked for months trying to find a Vietcong agent. Within an hour after his "wanted" poster was displayed, a woman appeared at the police station and said the agent lived next door.